



Ohio Administrative Code

Rule 901:10-2-16 Permit to operate and operating record requirements.

Effective: February 13, 2021

(A) An operating record shall be generated as part of the permit to operate and NPDES permit.

The operating records shall be maintained on forms identified by the permit and other forms approved for use by the department. The operating record shall be retained for a minimum period of five years, shall be made available to the director upon request, and shall record and document the following information:

(1) The manure storage or treatment facility. Records required by rule 901:10-2-08 or 901:10-2-19 of the Administrative Code, including:

(a) Measurements of manure volume and the depth of liquid manure in manure storage or treatment facilities by the depth marker or other appropriate device as approved by the director in accordance with rule 901:10-2-06 of the Administrative Code as required by paragraph (A)(4)(o) of rule 901:10-2-08 of the Administrative Code which clearly indicates the minimum capacity necessary to contain the runoff and direct precipitation of the twenty-five year, twenty-four hour rainfall event, or, in the case of new sources subject to the requirement in paragraph (C) of rule 901:10-3-06 of the Administrative Code, the runoff and direct precipitation from a one-hundred year, twenty-four hour rainfall event, plus the levels of freeboard as required in either paragraph (A)(4)(a) or paragraph (A)(4)(b) of rule 901:10-2-08 of the Administrative Code;

(b) Records of inspections of the structural integrity and vegetative management systems of the manure storage or treatment facility taken at intervals specified in the manure management plan and including evidence of erosion, leakage, animal damage, and problems of emerging vegetation.

(c) Records of measurements of storage capacity remaining in the manure storage and treatment facility, based upon inspections conducted at intervals specified in the manure management plan.

(d) Records of inspections of stormwater conveyances, diversion devices, runoff diversion structures,



and devices channeling contaminated stormwater to the manure storage pond or manure treatment lagoon.

(e) Records of inspections of the protective vegetative cover that is maintained on all disturbed areas (lagoon or pond embankments, berms, pipe runs, erosion control areas, etc.)

(f) Implementation dates of those best management practices necessary to operate and maintain settling basins, grass filtration or soil infiltration systems or diverting clean water and roof water away from the production area.

(g) Records of groundwater sampling and analysis and any surface water sampling and analysis. This also includes any records associated with monitoring or sampling of subsurface perimeter drains around manure storage or treatment facilities.

(h) Records required in rule 901:10-2-19 of the Administrative Code for the insect and rodent control plan.

(i) Records of inspections of water lines located above ground and readily accessible or visible for daily inspection, including drinking water or cooling water lines.

(j) Records of actions taken to correct any deficiencies found as a result of inspections conducted in the production area. If actions were not taken within thirty days of discovery, then the operating record shall record the reasons explaining why corrections could not be made immediately.

(k) Records documenting the current design of any manure storage or treatment facility including volume for solids accumulation, design treatment volume, total design volume, and approximate number of days of storage capacity.

(l) Records of the date, time, and estimated volume of any overflow or discharge from the production area.

(2) Manure characterization data, test methods, results, and other information as required in paragraph (E) of rule 901:10-2-10 of the Administrative Code.



(3) Land application area records shall be recorded and maintained in the operating record. Records for each land application area shall include:

(a) The owner or operator shall maintain or have access to adequate land application equipment and record this in the operating record.

(b) The owner or operator shall list or otherwise describe those acres of land in the operating record for land application of manure, whether the land is owned or leased. In the alternative, use of a distribution and utilization plan should be recorded in the operating record.

(c) When liquid manure is applied to a land application area with subsurface drains and concentrated flow areas, document the periodic observations of the subsurface drain outlets and concentrated flow areas for liquid manure flow during and after application in the operating record.

(d) When liquid manure is applied to a land application area with a subsurface drain, document the use of drain outlet plugs or other devices in the operating record.

(e) Land application areas as described on a soil survey map.

(f) All soil tests within the last five years. Soil test results shall be maintained in the operating record with the information required in rule 901:10-2-13 of the Administrative Code.

(g) Site inspections to inspect setbacks used to maintain vegetative cover and protect stream channels or areas adjacent to such stream channels and as required by rule 901:10-2-14 of the Administrative Code.

(h) Records of the cropping schedule for each land application area for the past year, anticipated crops for the current year, and anticipated crops for the next two years after the current year.

(i) Targeted crop yield for each crop in each land application area based on:

(i) Soil productivity information;



- (ii) Historical yield data;
- (iii) Potential yield; or
- (iv) Combinations of yield data.
- (j) An additional ten per cent may be added to the potential and/or historical yields to account for improvements in management and technology.
- (i) When historical yield data is not available a realistic yield may be based on local research or on yields from similar soils and/or cropping systems in the area.
- (ii) For new or potential crops or varieties, industry yield estimates may be used until actual yields are available for documentation in the operating record.
- (k) Actual yield, if available.
- (l) Results of the nitrogen leaching risk assessment procedure and the phosphorus soil test assessment procedure and an explanation of the basis for determining manure application rates, as provided in rule 901:10-2-14 of the Administrative Code.
- (m) The number of years needed to reach one hundred fifty parts per million Bray P1 or equivalent if manure application rates exceed the phosphorus crop removal rates.
- (n) Date, rate, quantity and method of application of the nutrient, and/or form and source of manure, commercial fertilizer and/or other organic by-products.
- (o) Total amount of nitrogen and phosphorus actually applied to each field, including documentation of calculations for the total amount applied.
- (p) Condition of soil at the time of application including, but not limited to, available water capacity and evidence of soil cracks and related information on soil conditions.



- (q) Temperature, including general weather conditions at time of application and for twenty-four hours prior to and following application.
- (r) Implementation dates of those best management practices necessary to reduce the risk of nitrogen or phosphorus runoff by crop rotation, cover crops or residue management in accordance with paragraphs (B) to (E) of rule 901:10-2-14 of the Administrative Code.
- (s) Record the annual projected nutrient budget for nitrogen and phosphorus for each site for the plant production sequence and/or crop rotation.
- (t) Records shall be maintained of annual calibration of land application equipment.
- (4) Unless otherwise recorded with the insect and rodent control plan implementation or land application records, records of inspections and actions taken at manure stockpile or manure transfer sites.
- (5) The records for implementation of distribution and utilization methods, if used, shall include:
- (a) Quantity of manure transferred off-site for each twelve month period (tons/gallons);
 - (b) Date of off-site transfer for distribution;
 - (c) Name and address of recipient of manure; and
 - (d) Record that the recipient was provided with a copy of the appendices A, B and F to rule 901:10-2-14 of the Administrative Code, a copy of the most recent manure analysis consistent with the rules.
- (6) Disposal of dead livestock. The records for implementing the plan for the disposal of dead livestock shall include, but not be limited to:
- (a) The disposal method used for removal of dead livestock;



(b) A record of the date and time of inspection of each facility; and

(c) Those best management practices necessary to implement the disposal of dead livestock.

(B) Records shall be generated by certified livestock managers to comply with the requirements of rule 901:10-1-06 of the Administrative Code. The operating records shall be maintained on forms approved for use by the department. A certified livestock manager employed by a major concentrated animal feeding facility may use the major concentrated animal feeding facility's operating record to comply with the requirements of this rule and rule 901:10-1-06 of the Administrative Code, to the extent the records required to be kept by the certified livestock manager are already maintained in the facility's operating record. The operating record for a certified livestock manager shall be retained for a minimum period of five years, shall be made available to the director upon request, and shall record and document the following information:

(1) Records shall be maintained for each land application area.

(2) The certified livestock manager shall list or otherwise describe the acres of land for land application of manure.

(3) When liquid manure is applied to a land application area with subsurface drains and concentrated flow areas, documentation shall be made of the periodic observations of subsurface drains, drain outlet plugs, drain outlets or other devices for liquid manure flow during and after application in the operating record. Monitoring of concentrated flow areas during and after application shall also be documented.

(4) All soil tests within the last five years. Soil test results shall be maintained in the operating record with the information required in rule 901:10-2-13 of the Administrative Code.

(5) Site inspections to inspect setbacks used to maintain vegetative cover and protect stream channels or areas adjacent to such stream channels and as required by rule 901:10-2-14 of the Administrative Code.

(6) Date, rate, quantity and method of application sources of the nitrogen and phosphorus, and/or



form and source of manure, commercial fertilizer and/or other organic by-products.

(7) Total amount of nitrogen and phosphorus actually applied to each field, including documentation of calculations for the total amount applied.

(8) Condition of soil at the time of application including, but not limited to, available water capacity and evidence of soil cracks and related information on soil conditions.

(9) Temperature, including general weather conditions at time of application and for twenty-four hours prior to and following application.

(10) Records shall be maintained of annual calibration of land application equipment.